

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

RECEIVED

RICHARD WAYNE WRIGHT, SR., * 2005 OCT 27 AM 11:18
Plaintiff, *
*
-VS- * CIVIL CASE NO. 2:05-CV-439-A-WO
*
SYLVESTER NETTLES, et. al., *
*
Defendants. *
*
*

MOTION TO RESUBMIT MOTION FOR

AN ORDER TO SHOW CAUSE

COMES NOW, Petitioner Richard Wayne Wright, Sr., Pro-Se, before this Honorable Court on a motion for an order to show cause. The petitioner will respectfully show this Honorable Court the following:

1). Petitioner was denied parole on August 16, 200. The respondent relied upon gearsay evidence presented by the victim's rights advocates, which the petitioner didn't have an opportunity to cross examine. As a result of such the petitioner was denied parole, which was based upon hearsay evidence and arbitrary and capricious reasons.

2). The petitioner has mett any and all criterias set by administrative laws, to become eligible to be granted parole, due to the fact that petitioner has mett the required criterias this is a ""liberty interest" created by the laws.

3). The petitioner was scgeduled a rehearing five (5) years from the date of denial that is an abuse of discretion.

WEREFORE, the petitioner respectfully pray that this Honorable Court grant this motion and enter an order to show cause.

DONE THIS THE 20th DAY OF October, 2005.

RESPECTFULLY SUBMITTED,

Richard W. Wright, Jr.
RICHARD WAYNE WRIGHT, SR., #187140
VENTRESS CORRECTIONAL FACILITY
DORM 10/B BED 55B
POST OFFICE BOX 767
CLAYTON, ALABAMA 35016

CERTIFICATE OF SERVICE

This is to certify that I am the petitioner in the above captioned matter and I have this the 20th day of October, 2005, sent this response to the clerk of this Court and the following defendant's counsel(s):

DAVID B. BLOCK
WILLIAM R. LUNSFORD
BALCH & BINGHAM LLP
POST OFFICE BOX 18668
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GREGG M. BIGGS
ALABAMA DEPARTMENT OF CORRECTION
LEGAL DIVISION
301 RIPLEY STREET
MONTGOMERY, ALABAMA 36130

by placing same in the United States mail box at Ventress Correctional facility, (VENTRESS LEGAL MAIL BOX) first class postage prepaid and properly address this on the 20th day of October, 2005.

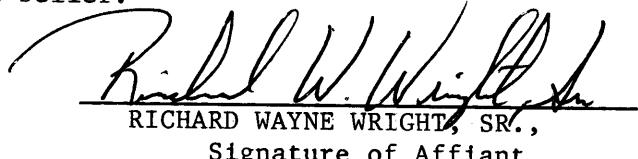
RESPECTFULLY SUBMITTED,

Richard W. Wright, Jr.
RICHARD WAYNE WRIGHT, SR., #187140
Plaintiff, Pro-Se.

NOTARY STATEMENT

STATE OF ALABAMA)
COUNTY OF BARBOUR)

BEFORE ME, A Notary Public in and for said County, in said State, personally appeared Richard Wayne Wright, Sr., Whose name is signed to the foregoing motion. Who being first duly confirms, desposes on oath and says, That the information set fourth in the forgoing motion is true and correct to the best of his knowledge and belief.



RICHARD WAYNE WRIGHT, SR.,
Signature of Affiant

CONFIRM TO AND SUBSCRIBED BEFORE ME ON THIS THE 20th DAY OF

October, 2005.



NOTARY PUBLIC

My Commission Expires August 18, 2007
MY COMMISSION EXPIRES